

FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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Mr. Charles Foster
Group President
SBC Communications, Inc.
175 E. Houston Street
San Antonio, TX 78205

Dear Mr. Foster:

This letter responds to notifications from SBC Communications, Inc. ("SBC") and a coalition of several competitive local exchange carriers ("CLECs") regarding the status of advanced services operations support systems ("OSS") collaborative sessions held pursuant to the *SBC/Ameritech Merger Order*.¹ Both SBC and participating CLECs indicate that, although the parties reached agreement on a number of issues, other issues remain unresolved. To provide SBC and participating CLECs an opportunity to resolve the remaining issues, I am extending the collaborative period until March 17, 2000.

The *SBC/Ameritech Merger Order* requires SBC to develop and deploy enhancements to the pre-ordering and ordering interfaces for its OSS used to provide digital subscriber line ("xDSL") and other advanced services.² To accomplish this task, the *Merger Conditions* establish a three-phase approach. With respect to the second phase, the *Merger Conditions* require SBC to "work collaboratively with CLECs . . . to obtain written agreement on enhancements to the existing Datagate or [Electronic Data Interchange ("EDI")] interfaces identified in the Plan of Record, and a change management process, including a 12 month forward-looking view of process changes and deployment schedule."³ Completing the second phase depends entirely upon consummating a written agreement.

I understand that, in January and February 2000, SBC and approximately twenty CLECs participated in a series of collaborative sessions to discuss operational and technical issues related to SBC's development and deployment of enhancements to its advanced services OSS.⁴ On February 7, 2000, SBC notified the Common Carrier Bureau ("Bureau") regarding the conclusion of the collaborative sessions.⁵ Although SBC indicated that the participants resolved fifteen operational and technical issues,

¹ Applications of Ameritech Corp., Transferor, and SBC Communications, Inc., Transferee, For Consent to Transfer Control of Corporations Holding Commission Licenses and Lines Pursuant to Sections 214 and 310(d) of the Communications Act and Parts 5, 22, 24, 25, 63, 90, 95, and 101 of the Commission's Rules, CC Docket 98-141, *Memorandum Opinion and Order*, 14 FCC Rcd 14712 (1999) ("*SBC/Ameritech Merger Order*").

² *SBC/Ameritech Merger Order* at Appendix C, para. 15(c).

³ *Id.* at Appendix C, para. 15(c)(2).

⁴ SBC held three collaborative workshops on the following dates: January 19, 2000; February 1, 2000; and February 2, 2000.

⁵ Letter from Marian Dyer, Vice President – Federal Regulatory, SBC Telecommunications, Inc., to Lawrence E. Strickling, Chief, Common Carrier Bureau, FCC (Feb. 7, 2000).

SBC further indicated that the collaborative sessions left a number of issues unresolved. On February 8, 2000, Rhythms Link, MCI Worldcom, AT&T, Sprint, and Northpoint (collectively “participating CLECs”) notified the Common Carrier Bureau (“Bureau”) that the parties were unable to reach agreement on a number of issues.⁶ The participating CLECs further contend that SBC unduly limited the scope of the collaborative sessions.

After discussing the issues with Bureau staff, both SBC and the participating CLECs filed additional correspondence further explaining their positions and describing the results of the earlier collaborative sessions.⁷ In its letter of February 16, 2000, SBC acknowledged that additional workshops would be productive on some issues and indicated its willingness to extend the collaborative sessions to discuss these issues. In addition, SBC requested guidance from the Bureau on the scope of the collaborative sessions related to advanced services OSS.

SBC and the participating CLECs thus have failed to reach written agreement on a number of issues discussed during the collaborative sessions. For this situation, the *Merger Conditions* allow the Bureau to extend the collaborative sessions in order to provide the parties an opportunity to resolve any outstanding issues.⁸ In order to provide SBC and the participating CLECs the opportunity to reach written agreement expeditiously, I am extending the collaborative period for an additional three weeks, through March 17, 2000. During this extended period, I expect that SBC and the participating CLECs will reach written agreement on a revised Plan of Record for enhancing SBC’s advanced services OSS. In addition, in view of the agreement reached on certain issues,⁹ I expect SBC to begin implementing the agreed-upon changes upon receipt of this letter. SBC should notify me in writing in the event technical limitations prevent immediate implementation of the agreed-upon changes. Furthermore, it is my understanding that, absent arbitration or a directive from the Bureau, Phase 3 under *Merger Condition III* will not begin until written agreement is reached on all issues.

To facilitate the collaborative sessions and to assist in reaching a written agreement between SBC and the participating CLECs, I offer the following guidance with respect to the following issues:

1. *Access to SBC Records, Databases, and Back-End Systems:* CLECs request that SBC identify the records, databases, and back-end systems that contain any loop makeup information available to SBC employees, as well as SBC’s plans to make access to such records, databases and back-end systems available to CLECs. To the extent that SBC must provide information and access to records, databases, and back-end systems pursuant to the *Merger Conditions* or under the Commission’s *UNE Remand Order*, such information and SBC’s plans are relevant to SBC’s obligation to upgrade its advanced services OSS. Because *Merger Condition III* addresses forward-looking enhancements to the interfaces for pre-ordering and ordering components used to provide advanced services, SBC

⁶ See Notification of Unresolved Issues in Dispute (filed Feb. 8, 2000) (“*CLEC Notification*”).

⁷ Letter from Marian Dyer, Vice President – Federal Regulatory, SBC Telecommunications, Inc., to Lawrence E. Strickling, Chief, Common Carrier Bureau, FCC (Feb. 16, 2000) (“*February 16th Letter*”); see Letter from Anita Taff-Rice, Counsel for Rhythms Links, Inc., to Lawrence E. Strickling, Chief, Common Carrier Bureau, FCC (Feb. 14, 2000).

⁸ *SBC/Ameritech Merger Order* at Appendix C, para. 15(c)(2).

⁹ See Exhibit A.

should identify when it will make access to all records, databases and back-end systems available to CLECs. In its February 16th Letter, SBC indicated its willingness to discuss in additional collaborative sessions access to loop qualification information and to provide details on the loop qualification data elements outlined in the Plan of Record, the enhancements outlined in the Addendum, and any additional enhancements planned as a result of the *UNE Remand Order*. SBC should do so during the ensuing three-week collaborative period.

2. *Support for and Modification to CLEC User Interfaces:* CLECs assert that SBC's plans to enhance its graphical user interfaces for pre-ordering and ordering (including Verigate, LEX, and WebGUI) are inextricably linked to the company's plans to enhance Datagate and EDI interfaces for pre-ordering and ordering loops for advanced services, and therefore within the scope of the advanced services OSS collaboratives under *Merger Condition III*. Although SBC could address enhancements to its graphical user interfaces in the advanced services OSS collaborative sessions, these interfaces are directly addressed in the requirement for SBC to develop and deploy uniform and enhanced OSS interfaces (*Merger Condition VIII*). SBC has agreed to discuss deployment plans related to the GUI interfaces in the general uniform and enhanced OSS Plan of Record that will be filed in March 2000.¹⁰
3. *Population of Loop Qualification Data:* CLECs request that SBC update relevant databases as manual loop qualifications or engineering queries are performed. In its February 16th Letter, SBC agreed to populate existing databases in all operating regions on a going forward basis as individual manual requests for loop qualification are performed. To the extent that SBC's obligations under *Merger Condition IV* (i.e., to provide access to loop information for advanced services) or the *UNE Remand Order* require modifications to the OSS interfaces and/or business rules for pre-ordering and ordering loops used to provide advanced services, such plans are within the scope of the collaborative sessions under *Merger Condition III*.
4. *Real-Time Flow-Through of CLEC Orders:* CLECs request that SBC describe how it will implement a real-time flow-through pre-ordering and ordering system for xDSL loops. To the extent that SBC's flow-through development plans for advanced services pre-order inquiries and orders require modifications to the OSS interfaces and/or business rules for pre-ordering and ordering loops used in advanced services, such plans are within the scope of the collaborative sessions under *Merger Condition III*. In its February 16th Letter, SBC explained that its Amended Plan of Record already addresses this issue.
5. *Pre-Ordering and Order Intervals:* CLECs request that SBC discuss and commit to performance intervals for critical steps in the pre-ordering and ordering processes. Performance commitments for pre-ordering and ordering facilities used in advanced services are addressed in the performance measurements contained in the *Merger Condition VII* and are not within the scope of *Merger Condition III*. Nonetheless, to the extent that CLECs seek descriptions of relevant pre-ordering and ordering processes (e.g., "a description of the reject process that clearly defines each step and the responsibilities of each party in clearing the reject"), such descriptions are within the scope of *Merger Condition III*. Furthermore, the CLECs' request for enhanced order status functionality is

¹⁰ See SBC February 16th Letter at 2.

appropriately addressed in the uniform and enhanced OSS Plan of Record under *Merger Condition VIII*.

6. *Parity*: CLECs request that SBC establish a process for providing information on the OSS systems used by SBC's internal operations and/or its Advanced Services Affiliate(s) for pre-ordering and ordering loops used in advanced services, as well as information regarding performance measures for internal versus CLEC systems. To the extent that CLECs request information regarding the processes used internally by SBC or its Advanced Services Affiliate(s), such information is necessary for CLECs to evaluate the sufficiency of SBC's advanced services OSS enhancements. It is always a relevant question for a CLEC to ask how will SBC's Advanced Services Affiliate(s) operate vis-à-vis SBC incumbent LECs so that a CLEC can be assured that it is eligible to use the same processes, interfaces, and systems. Naturally, SBC must explain its affiliate operating environment and provide any relevant information needed to understand fully the operating relationship between the SBC incumbent LECs and their affiliates. Specific performance parity considerations, however, are more appropriately addressed through the performance assurance plan in the *Merger Conditions* or the nondiscrimination safeguards that apply to the dealings between SBC incumbent LECs and their Advanced Services Affiliate(s).
7. *Spectrum Management*: CLECs request that SBC complete the dismantling of its binder group management/selective feeder separation ("BGM/SFS") system immediately, which is within the scope of *Merger Condition III*. SBC indicates in its February 16th Letter that the issue is moot because it has resolved this issue by completing the required dismantling.
8. *Line Sharing*: CLECs request that SBC provide information on the methods in which it will support ordering line sharing arrangements. SBC's plans to accommodate line sharing are within the scope of the advanced services OSS collaborative sessions because *Merger Condition III* addresses forward-looking enhancements to the interfaces for pre-ordering and ordering xDSL loops. SBC has committed to discuss implications for DataGate and EDI pre-ordering and ordering arising from the *Line Sharing Order* in additional collaborative sessions. SBC should do so during the ensuing three-week collaborative period.
9. *Sample Data*: CLECs request that SBC provide sample data from its existing loop qualification process for 100 addresses in 13 states (i.e., 1300 addresses). Because sample data for existing and future loop qualification processes will facilitate the understanding and implementation of SBC's modifications to Datagate and EDI, SBC should provide the sample data requested by the participating CLECs. In its February 16th Letter, SBC committed to provide such sample data in a spread sheet format.
10. *Loop Qualification Charges*: CLECs request that the structure of charges for loop qualification data provided during the pre-ordering and ordering of xDSL loops be deemed within the scope of the Plan of Record. The pricing of loop qualification processes does not appear to impact enhancements to Datagate or EDI and therefore appears to be outside the scope of the collaborative sessions under *Merger Condition III*.

11. *Continued Support for Pre-Qualification:* SBC and CLECs do not appear to agree on SBC's plans for continued maintenance and support of the Datagate and EDI interfaces, and therefore should discuss this issue further in collaborative sessions during the ensuing three-week collaborative period.
12. *Type of Service Field:* SBC should clarify its existing requirements and/or future plans for CLECs to disclose in the "Type of Service" field whether they will use unbundled loops for residential or business purposes. For example, SBC should clarify the "legal constraints" that impact this field.¹¹
13. *Methods and Procedures Documents for EDI/Datagate.* SBC should provide CLECs with documents describing in detail the modifications to its pre-ordering and ordering OSS systems for the Plan of Record upgrades. Such technical documentation is necessary for CLECs to evaluate the sufficiency of SBC's advanced services OSS enhancements. Consistent with the Change Management Process, SBC and participating CLECs should agree to a schedule for CLECs to receive any requisite documentation.

I must stress that the *Merger Conditions* require consummation of a "written agreement." This requires SBC and the participating CLECs to jointly embody *in writing* their understanding of the agreed-upon resolutions. In order to reach written agreement, I expect SBC to provide the participating CLECs with a draft amended Plan of Record in time to review the document for accuracy before SBC submits the final version to the Bureau.

As a final matter, I understand that one of SBC's Advanced Services Affiliates, Advanced Services, Inc. ("ASI"), has not participated in the January to February 2000 collaborative sessions pertaining to planned enhancements to SBC's advanced services OSS, although the affiliate did participate in earlier meetings to discuss line sharing issues. I am surprised that ASI has not participated in these important collaborative workshops since it will be using the interfaces and enhancements developed during these sessions just like any other provider of advanced services. I therefore encourage ASI to participate in the advanced services OSS collaborative sessions.

Please do not hesitate to contact me if I can be of further assistance. You may also contact Anthony Dale in the Common Carrier Bureau at (202) 418-2260 for further information on this matter.

Sincerely,

Lawrence E. Strickling
Chief, Common Carrier Bureau

¹¹ See SBC February 17th Letter at 4.

EXHIBIT A
Agreed-Upon Issues

SBC and the participating CLECs indicate that agreement was reached on the issues that are summarized below.

1. *Additional Data Elements in Loop Qualification.* In addition to the data elements that SBC identified in its initial Plan of Record, SBC and CLECs agreed that SBC will make additional data elements available no later than December 2, 2000. Specifically, SBC agrees to make available: (1) presence and location of repeaters; (2) quantity of repeaters; (3) type of repeaters; (4) type of plant (aerial or buried); (5) composition of loop (copper or fiber); (6) portion of loop and length of each composition; (7) availability of spare loops; (8) quantity of bridged tap by occurrence; (9) location of bridged tap by occurrence; (10) quantity of low pass filters; (11) location of low pass filters; (12) quantity of range extenders; (13) location of range extenders; (14) number of gauge changes; (15) location of pair gain devices; (16) location of digital loop carrier ("DLC"); (17) quantity of DLCs; (18) presence and location of remote switching unit; and (19) type of remote switching unit.
2. *Elimination of Mandatory Tracking Number.* SBC and CLECs agree that SBC will eliminate the mandatory tracking number from its ordering system, thereby allowing CLECs to place an xDSL loop order without inclusion of the tracking number.
3. *Value for Missing Data.* SBC and CLECs agree that SBC will provide a valid value rather than a blank when loop qualification data are missing.
4. *Elimination of Loop Qualification Requirement for Loops 12,000 Feet or Less.* SBC and CLECs agree that once a CLEC determines that a loop is 12,000 feet or less (through loop pre-qualification process or otherwise), the CLEC may order the loop without having to perform a loop qualification.
5. *Definition of Actual Loop Length.* SBC clarified the definition of actual loop length.
6. *Clarification of DLR and DLR-Like.* SBC clarified the meaning of the terms DLR and DLR-Like documents as used by SBC in its Plan of Record.
7. *Additional Data Elements in Pre-Qualification.* SBC agrees to unmask all the data fields currently available in its pre-qualification mini database, including the Wire Center Code and Design Cable Gauge Makeup.
8. *Incorporating Reference to Change Management Process.* SBC agrees to follow its Change Management Process when making requested modifications to its OSS through the Plan of Record process.¹²
9. *Minutes from CLEC Meetings.* SBC distributed minutes from the November 3, 1999 CLEC meeting. SBC should ensure that all minutes and attachments are promptly distributed to participating LECs.

¹² See *Merger Order*, App. C, para. 32.

10. *Address Fields.* SBC agrees to remove the use of parsed address fields from its loop qualification specifications and to continue the use of concatenated address fields until migration to LSOG4.
11. *Number of Plans of Record.* SBC clarified that it will issue five Plans of Record related to OSS issues for pre-ordering and ordering advanced services.